



**BOARD OF DIRECTORS
EAST BAY MUNICIPAL UTILITY DISTRICT**

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**AGENDA
REGULAR CLOSED SESSION**

Tuesday, January 10, 2023

11:00 a.m.

Boardroom

375 11th Street

Oakland, CA 94607

*****Please see appendix for public participation instructions*****

ROLL CALL:

PUBLIC COMMENT: The Board of Directors is limited by State law to providing a brief response, asking questions for clarification, or referring a matter to staff when responding to items that are not listed on the agenda.

BROWN ACT BRIEFING:

- Presentation on the Ethics Policy of the EBMUD Board of Directors and Updates to the Brown Act and Ethics Laws

ANNOUNCEMENT OF CLOSED SESSION AGENDA:

1. Existing litigation pursuant to Government Code section 54956.9(a):
 - a. *Waste Management of Alameda County, Inc. v. East Bay Municipal Utility District*
Alameda County Superior Court, Case No. RG21094336
2. Conference with Labor Negotiators Clifford C. Chan, General Manager; Sophia D. Skoda, Director of Finance; Cindy R. Charan, Director of Human Resources; and Lisa A. Sorani, Manager of Employee Services, pursuant to Government Code section 54957.6: Employee Organizations International Union of Operating Engineers, Local 39; American Federation of State, County and Municipal Employees, Locals 444 and 2019; and International Federation of Professional & Technical Engineers, Local 21.

(The Board will discuss Closed Session agenda items in the Training Resource Center.)

REGULAR BUSINESS MEETING
1:15 p.m.

*****Please see appendix for public participation instructions*****

ROLL CALL:

BOARD OF DIRECTORS:

- Pledge of Allegiance
- Election of 2023 Officers
- 2023 Board Assignment Preferences for Committees, Joint Powers Authorities and Associations

ANNOUNCEMENTS FROM CLOSED SESSION:

PUBLIC COMMENT: The Board of Directors is limited by State law to providing a brief response, asking questions for clarification, or referring a matter to staff when responding to items that are not listed on the agenda.

CONSENT CALENDAR: (Single motion and vote approving 6 recommendations.)

1. Approve the Regular Meeting Minutes of December 13, 2022.
2. File correspondence with the Board.
3. Authorize an agreement beginning on or after January 10, 2023 with AECOM Technical Services, Inc. in an amount not to exceed \$891,276 for engineering services to support the Camanche Dam and Pardee Dam Seismic Study.
4. Authorize an agreement beginning on or after January 10, 2023 with AECOM Technical Services, Inc. in an amount not to exceed \$172,260 for the conceptual design of a solution to restore the eroded soil cover that protects Mokelumne Aqueducts No. 1 and No. 2 under the riverbed of Old River in the California Delta.
5. Authorize an amendment to the agreement previously authorized under Board Motion No. 182-16, with Western Area Power Administration to extend the contract termination date from December 31, 2024, to December 31, 2029, for electricity purchases at select District facilities.
6. Authorize the amendment and approve the assignment of the Camanche Reservoir Recreation Contract with Urban Park Concessionaires to Vista Recreation.

DETERMINATION AND DISCUSSION:

7. Appoint Manager of Employee Relations. (Resolution)
8. Legislative Update:
 - State Legislative Initiatives for 2023 Legislative Year
 - Federal Initiatives for 2023
 - Update on Legislative Issues of Interest to EBMUD

DETERMINATION AND DISCUSSION: (Continued)

9. General Manager's Report:
- Coronavirus Update
 - Water Supply Update – Water Year 2022 review, and briefing on supplemental, current and California water supply, and water supply projections
 - Six-Month Forecast of Board Committee and Workshop Agenda Topics for 2023 and Summary of 2022 Committee and Workshop Topics
 - 2022 Interdepartmental Committees Annual Report
 - Monthly Report – December 2022

REPORTS AND DIRECTOR COMMENTS:

10. Committee Reports:
- Planning
 - Legislative/Human Resources
11. Other Items for Future Consideration.
12. Director Comments.

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, January 24, 2023.

Disability Notice

If you require a disability-related modification or accommodation to participate in an EBMUD public meeting please call the Office of the Secretary (510) 287-0404. We will make reasonable arrangements to ensure accessibility. Some special equipment arrangements may require 48 hours advance notice.

Document Availability

Materials related to an item on this agenda that have been submitted to the EBMUD Board of Directors within 72 hours prior to this meeting are available for public inspection in EBMUD's Office of the Secretary at 375 11th Street, Oakland, California, during normal business hours, and can be viewed on our website at www.ebmud.com.

BOARD CALENDAR

Meeting dates, times, and locations are subject to change

Date	Meeting	Time/Location	Topics
Tuesday, January 10	Planning Committee	9:00 a.m. Boardroom	<ul style="list-style-type: none"> Wildcat Pumping Plant Project Update and Availability of the Draft Mitigated Negative Declaration Quarry Site Restoration Project Update and Availability of the Draft Environmental Impact Report Fiscal Year 2022 Annual Readiness Report
	Legislative/Human Resources Committee	10:00 a.m. Boardroom	<ul style="list-style-type: none"> Diversity, Equity, and Inclusion Strategic Plan State Legislative Initiatives for 2023 Federal Initiatives for 2023
	Board of Directors	11:00 a.m. Boardroom 1:15 p.m. Boardroom	<ul style="list-style-type: none"> Closed Session Regular Meeting
Monday, January 16	Martin Luther King, Jr. Day		<i>District Offices Closed</i>
Tuesday, January 24	Sustainability/Energy Committee	TBD	
	Finance/Administration Committee	TBD	
	FY 2024/2025 Budget Workshop No. 1	TBD	
	Board of Directors	11:00 a.m. Boardroom 1:15 p.m. Boardroom	<ul style="list-style-type: none"> Closed Session Regular Meeting

2022 Board Committee Members

Finance/Administration	Patterson {Chair}, Coleman, Katz
Legislative/Human Resources	Coleman {Chair}, McIntosh, Patterson
Planning	Young {Chair}, McIntosh
Sustainability/Energy	Young {Chair}, Katz
Redistricting Ad Hoc	Coleman, Linney, Young

Closed Session and Regular Business Meetings

Tuesday, January 10, 2023

11:00 a.m. and 1:15 p.m.

*EBMUD public Board meetings will be conducted in person in the Boardroom and via Zoom.
These meetings are recorded, live-streamed, and posted on the District's website.*

In Person

In accordance with District safety protocols, masks are required while in the building and Boardroom regardless of vaccination status.

*Online**

<https://ebmud.zoom.us/j/97065086667?pwd=eUdZSGh5SG82akZiRDF2UDg2b0IyUT09>

Webinar ID: 970 6508 6667

Passcode: 238500

*By Phone**

Telephone: 1 669 900 6833

Webinar ID: 970 6508 6667

Passcode: 238500

International numbers available: <https://ebmud.zoom.us/u/adMXn1VnPp>

*To familiarize yourself with Zoom, please visit <https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting>

Providing public comment - *The EBMUD Board of Directors is limited by State law to providing a brief response, asking questions for clarification, or referring a matter to staff when responding to items that are not listed on the agenda.*

- Each speaker is allotted 3 minutes to speak; the Board President has the discretion to amend this time based on the number of speakers
- The Secretary will track time and inform each speaker when the allotted time has concluded
- Comments on **non-agenda items** will be heard at the beginning of the meeting
- Comments on **agenda items** will be heard when the item is up for consideration
- The Secretary will call each speaker in the order received

In person

- Fill out and submit a blue speaker card which is available in the foyer of the Boardroom

Via Zoom

- Use the raise hand feature in Zoom to indicate you wish to make a public comment
<https://support.zoom.us/hc/en-us/articles/205566129-Raising-your-hand-in-a-webinar>
- If you participate by phone, press *9 to raise your hand
- When prompted by the Secretary, please state your name, affiliation if applicable, and topic

Submitting written comments or materials

- Email written comments or other materials for the Board of Directors to SecOffice@ebmud.com
- Please indicate the meeting date and agenda item number or non-agenda item in the subject of the email. Contact information is optional.
- **Please email by 4 p.m. the day prior to the scheduled regular meeting;** written comments and other materials submitted to the Board of Directors will be filed in the record.

To view the livestream of meetings of the Board, please visit:
<https://www.ebmud.com/about-us/board-directors/board-meetings/>
